

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THOMAS E. LYONS and CELESTE M. LYONS,

Plaintiffs,

AFFIDAVIT OF SERVICE

-against-

Civil Action Case No.
07-CV-7095 (KMK)(MDF)

LANCER INSURANCE COMPANY,

Defendant.

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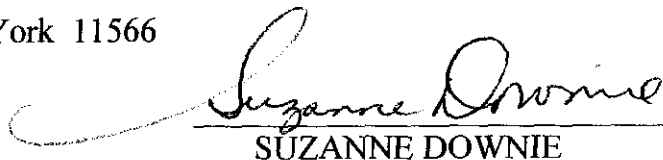
STATE OF NEW YORK)
COUNTY OF ULSTER) ss.:

SUZANNE DOWNIE, being duly sworn, deposes and says:

1. That I am not a party to the above entitled action, am over the age of 18 years and reside in Olivebridge, New York.

2. That on the 4th day of January, 2008, I served a true copy of the annexed Memorandum of Law in Opposition to Defendant's Motion to Dismiss by transmitting the same to counsel for the defendant by electronic means to the telephone number or other station or other limitation designated by counsel for the defendant for that purpose (1-516-623-0758). In doing so, I received a signal from the equipment of the counsel for the defendant indicating that the transmission was received, and mailed a copy of same in a sealed envelope with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee as indicated below:

Law Offices of Curtis, Vasile, P.C.
Att: Roy W. Vasile, Esq.
2174 Hewlett Avenue
P.O. Box 801
Merrick, New York 11566


SUZANNE DOWNIE

Sworn to before me this 4th
day of January, 2008.


NOTARY PUBLIC

Debra L. Leacock
Notary Public, State of New York
Qualified in Ulster County
Commission Expires January 14, 2011